

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ROBERT REDMOND,

Plaintiff,

v.

Case No. 16-12974-DT

PAUL KLEE, et al.,

Defendants.

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

This matter was referred to United States Magistrate Judge David R. Grand pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 72.1. In his report filed on February 23, 2018, Judge Grand recommended that Defendants' Motion for Summary Judgment (Dkt. #28) be GRANTED IN PART and DENIED IN PART. Specifically, Judge Grand recommended that summary judgment be granted as to Defendant V. Webb and denied as to Defendants C. Condon and R. Foreman.

Objections to a report and recommendation ("R&R") are due within fourteen days of service on the parties of a copy of the R&R. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(2). The docket in this action contains a certificate of service dated February 23, 2018, averring that the report and recommendation was served on Plaintiff by mail the same day the R&R issued. Plaintiff, however, sent the court a letter dated March 5, 2018 (docketed March 8) representing that he had not received a copy. (Dkt. #33.) He asked that another be sent. He also asked that he receive more time to file any necessary objections. The court, by text-only entry dated March 9, granted his request for additional time and effected service of

the R&R and order granting the extension. To date, still no objections have been filed. Further appeal rights are therefore forfeited.¹

Having reviewed the file and the report, the court concludes that Judge Grand's findings and conclusions are correct and ADOPTS the same for purposes of this Order.

Accordingly, IT IS ORDERED that, for the reasons set forth in the Magistrate Judge's Report and Recommendation (Dkt. #31), the Motion for Summary Judgment by Defendants C. Condon, R. Foreman, and V. Webb (Dkt. #28) is GRANTED as to Defendant V. Webb and DENIED as to Defendants C. Condon and R. Foreman.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: March 30, 2018

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, March 30, 2018, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(810) 292-6522

¹The failure to object to the magistrate judge's report releases the court from its duty to independently review the motion. *Thomas v. Arn*, 474 U.S. 140, 149 (1985).